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Insolvency Applications

255. Out of 367 Insolvency applications for disposal during the year, 176 were disposed of leaving 191 pending at the end of the year. In 66 cases receivers were appointed. The total amount of insolvents' assets realised during the year was Rs. 44,386-89 and the amount disbursed to creditors was Rs. 33,660-27.

Regular Appeals

256. Out of 8,910 Regular Appeals for disposal during the year, 3,573 were disposed of leaving 5,337 pending at the end of the year. The average duration of appeals disposed of was 362·7 days.

Miscellaneous Appeals

257. Out of 2,260 Miscellaneous Appeals for disposal during the year, 1,249 were disposed of leaving 1,011 pending at the end of the year. The average duration of the appeals disposed of was 218·4 days.

Receipts and Charges

258. The total receipts and charges of the Civil Courts (including the High Court) during the year were Rs. 34,83,355-32 and Rs. 60,14,042-33 respectively.

Legal Practitioners.

259. *Advocates.*—The number of Advocates enrolled during the year was 97 (129) bringing the total number on the roll at the end of the year to 1,927(1,830).

260. *Pleaders.*—The total number of Pleaders newly enrolled was 205(148) bringing the total number of Pleaders on the last day of the year to 1,565 (1,360).

261. Fixation of the cadres of Judicial Officers in the State, upgrading the cadre of the Non-Gazetted Judicial Officers and creation of uniform system in regard to the administrative control over the subordinate magistracy in all the areas of the State were under consideration of Govment during the year.

(vi) Criminal Justice.

262. *High Court:*—The jurisdiction of the High Court was the same as in the previous year.

Appeals

263. The number of Criminal Appeals instituted during the year was 397 (310). Out of 838 appeals involving 1,135 persons including 441 appeals involving 620 persons pending from the previous year, 237 (99) appeals involving 313 (146) persons were disposed of leaving 601 appeals involving 822 persons pending at the end of the year. Out of the appeals disposed of, in 112 appeals involving 163 persons the convictions and sentences were

confirmed, in 45 involving 53 persons the sentences were reduced or altered, in 62 involving 79 persons the sentences were reversed, in 11 involving 11 persons new trial or further enquiry was ordered and seven involving seven persons were otherwise disposed of.

264. Out of 135 appeals against the orders of acquittal which were for disposal during the year, 55 were disposed of. In 47 the orders of the lower courts were upheld, in one the sentence was altered, in six the sentences were reversed and in one further enquiry was ordered. The average duration of the 237 appeals disposed of was 314·3 (225·5) days.

Referred Cases.

265. Out of 29 (15) references involving 42 (22) persons for disposal during the year under Section 374 Cr. P. C., in nine cases involving 17 persons the accused were acquitted and set at liberty, in 11 cases involving 17 persons the sentences of death were commuted to imprisonment for life, in one case involving two persons retrial was ordered and in one case involving three persons the sentence of death was confirmed.

266. Out of two references involving four persons for disposal during the year under Section 307 Cr. P. C., one reference involving one person was rejected and the accused was acquitted.

267. One reference under Section 432 Cr. P. C. which was pending from the previous year was disposed of.

268. Out of two references involving two persons for disposal during the year under Section 341 Cr. P. C., one reference was accepted and the accused was acquitted.

269. One reference under Section 526 Cr. P. C. was received during the year and it was disposed of.

Revision

270. The number of copies of judgment and orders of the lower courts received in the High Court during the year was 850 (900) and they were scrutinised and action taken when necessary.

271. The number of cases referred to the High Court by the Sessions Judges and District Magistrates or taken by the High Court *sue motu* in revision during the year was 42 involving 122 persons. Including the 36 cases involving 118 persons pending from the previous year the

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total number of revision cases for disposal was 78 involving 240 persons. Of these, 47 involving 137 persons were disposed of.

Revision Petitions

272. During the year, 480 revision petitions involving 990 persons were filed, making a total of 767 cases involving 1,456 persons for disposal during the year including 287 petitions involving 466 persons pending from the previous year, of these 624 cases involving 1,223 persons were disposed of.

Criminal Petitions

273. Of the 808 criminal petitions for disposal during the year, 690 were disposed of.

Cases under the Contempt of Courts Act.

274. Out of nine cases involving 23 persons pending at the beginning of the year, seven cases involving 12 persons were disposed of during the year.

275. From the above it is seen that the disposals of criminal appeals were more than 2½ times the disposals during the previous year, *viz.* 237 (99). The total pendency was also reduced from 953 to 907.

276. *Courts subordinate to the High Court* :—The number of judges and magistrates exercising original jurisdiction at the end of the year was 164.

277. On the recommendation of the High Court the two Honorary Criminal Courts, *viz*, the Honorary Special I Class Magistrate's Court, Udipi and the Honorary II Class Bench Court, Mangalore, were abolished with effect from 18th November 1957 and an Additional Sub-Magistrate's Court, Mangalore was established for a period of one year.

Receipts and Charges

278. The total receipts and charges of the criminal courts subordinate to the High Court amounted to Rs. 16,99,086-25 and Rs. 16,37,572-55 respectively resulting in a saving of Rs. 61,513-70.

279. The number of offences reported during the year was 2,53,894. Out of 3,34,968 (excluding 2,716 persons for trial before the Courts of Sessions) persons brought to trial in the Magistrate's Courts, the cases in respect of 2,85,675 were disposed of. The total number of persons convicted was 2,18,220 and of persons acquitted or discharged was 55,939. The proportion of persons convicted to those acquitted or discharged was 79·5 to 20·5. The number pending at the end of the year was 49,293.

Offences punishable under Special and Local Laws.

280. Out of 2,45,347 or 72·6 per cent of the total number of persons brought to trial under Special and Local Laws, cases against 2,21,741 persons were disposed of, of whom 1,99,002 or 89·9 per cent were convicted.

Magisterial Work.

281. Out of 2,66,633 Regular Cases (other than those relating to inquiries under Chapter VIII of the Cr. P.C.) for disposal during the year, 2,37,398 cases were disposed of. The number of cases for disposal during the year was largest in the courts in the Bangalore District, *viz.*, 54,465 and lowest in Bidar District *viz.*, 1,351 cases. The pendency of cases at the end of the year was the largest in Bijapur District, *viz.*, 5,866 cases and lowest *viz*,, 59 cases in Chickmagalur District.

282. District Magistrates' Courts.—Out of 5,512 cases involving 9,263 persons for disposal in the District Magistrates Courts during the year 5,120 cases involving 7,868 persons were disposed of, leaving 392 cases involving 1,395 persons for disposal at the end of the year.

283. Courts of the other Magistrates.—Out of 2,61,121 cases involving 3,25,705 persons for disposal during the year in the Courts of the Magistrates other than the District Magistrates, 2,32,278 cases involving 2,77,807 persons were disposed of, leaving 28,843 cases involving 47,898 persons pending at the end of the year.

284. In the Courts of the District Magistrates the average duration of cases disposed of was 30·6 days and in the Courts of the other Magistrates it was 50·9 days.

Examination of Witnesses.

285. The total number of witnesses examined during the year in the subordinate criminal courts in the State was 1,02,440.

Juvenile Offenders.

286. Out of 3,158 juvenile offenders brought before the Courts of the Magistrates and of the Sessions Judges, 2,595 were convicted. Of those convicted, 410 were dealt with under the provisions of Section 562 Cr. P.C., 848 were fined and 1,337 were imprisoned. The number of offenders who were discharged or acquitted was 267.

Sessions Work

287. Out of 829 sessions cases involving 2,716 persons for disposal during the year including 145 cases involving 539 persons pending at the beginning of the year, 583 cases involving 1,848 persons were disposed of, leaving 246

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cases involving 868 persons pending at the end of the year. The number of sessions cases for disposal was largest in Belgaum District, *viz.*, 147 cases and lowest in Bangalore District, *viz.*, 7. The average duration of sessions cases disposed of was 84·4 days.

Appeals.

288. Out of 2,416 appeals relating to 4,284 persons for disposal during the year, 1,738 appeals relating to 2,979 persons were disposed of by the appellate courts subordinate to the High Court. The largest number of appeals, *viz.*, 462 was for disposal in the Bangalore Division. The average duration of appeals disposed of was 72·7 days.

Revision.

289. Out of 826 Revision cases for disposal during the year, 597 cases were disposed of by Sessions Judges and District Magistrates. The average duration of cases disposed of by the Sessions Judges was 91·8 days and in the District Magistrates' Courts it was 95·1 days.

Punishments

290. Twenty persons were sentenced to death by the Sessions Judge and the number of persons who were sentenced to imprisonment for life was 244. The total number of persons sentenced to undergo imprisonment in the Courts of the Sessions and also in the Courts of the other Magistrates was 19,094. Of these, 17,997 were sentenced to imprisonment for six months and under the rest for longer periods. The number of persons fined was 1,96,360. The total amount of fine imposed was Rs. 20,02,611-83 and the amount realised was Rs. 15,05,276-79. The amount paid by way of compensation was Rs. 10,577-39.